

## **REMARKS**

Applicant respectfully traverses the rejection of claims 1,3, and 6 under 35 U.S.C. § 103(a) over U.S. 2002/016554 to Nemoto in view of U.S. Patent Publication 2002/0102458 to Maleki.

As recited, e.g., in claims 1 and 7, a safety mechanism in a lithium ion secondary battery is activated ten seconds or more before an inside short circuit occurs, at a charging current of approximately 50 amps, and an opening pressure of the safety mechanism lower than approximately 1.5 MPa.

Assuming for the sake of argument, as the Office Action contends, that the combination of Nemoto and Maleki suggests a ten-second interval between safety mechanism activation and an inside short circuit, which Applicant does not admit, there is no teaching or suggestion in either Nemoto or Maleki of the claimed interrelationship of charging current, pressure, and time between safety mechanism activation and an inside short circuit in a lithium ion secondary battery, particularly a charging current of approximately 50 amps, and an opening pressure of the safety mechanism lower than 1.5 MPa.

For at least this reason, the combination of Nemoto and Maleki fails to render claims 1 and 7, or their dependent claims, 3, 6, and 9-12, respectively, obvious under § 103(a)

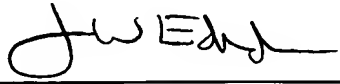
In view of the foregoing amendments and remarks, Applicant respectfully requests favorable reconsideration of this application and the timely allowance of the pending claims.

Please grant any extensions of time required to enter this response and charge any additional required fees to our deposit account 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,  
GARRETT & DUNNER, L.L.P.

Dated: December 27, 2007

By:   
James W. Edmondson  
Reg. No. 33,871